

REMARKS

Claims 1-6 and 13-24 are in the case. Claims 7-12 were cancelled in light of the finality of the requirement for restriction, in order to place the case in better condition for allowance or appeal.

In order to expedite the prosecution of this application, it is noted that the present application and the Elnagar reference (U.S. 6,103,926), at the time of the invention which is the subject of the present application, were both owned or subject to an obligation to assign the invention to Albemarle Corporation. Thus, since the Elnagar reference is only available as prior art under 35 U.S. C. § 102 (e), (f), and/or (g), and is used for a 35 U.S. C. § 103(a) rejection, the Elnagar reference is disqualified as a § 103 reference. Please see in this connection 35 U.S. C. § 103(c).

The above statement disqualifying Elnagar as a reference in no way constitutes an admission that the Examiner has established a *prima facie* case of obviousness. Applicants maintain their position that the Examiner has not established a *prima facie* case of obviousness under § 103 based on Elnagar.

Because there is no other reference against the present case, it is believed that the case is in condition for allowance. Favorable action on all of the claims in the case is respectfully requested. Please continue to address all correspondence in this Application to Mr. Edgar E. Spielman, Jr. at the address of record. The undersigned is acting pursuant to Rule 34.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that in accordance with standard business practice, this paper (along with any referred to as being attached or enclosed) is to be deposited on the date shown below with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

06-17-2004

Date

